

**FEBRUARY 20, 2007
REGULAR COUNCIL MEETING
PARMA CITY HALL COUNCIL CHAMBERS
7:00 P.M.**

The Regular Council Meeting was called to order by President of Council Charles M. Germana presiding:

COUNCIL MEMBERS PRESENT:	SCOTT M. TUMA SEAN P. BRENNAN NICHOLAS J. CELEBREZZE BRIAN DAY MARY GALINAS ROY J. JECH LARRY NAPOLI KEN RAMSER TOM REGAS
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Mr. Mastroianni – Mr. Chairman, the Roll of Council has been called, and I find a quorum of Council Members present.

The following officials and department heads were also present: Mayor Dean E. DePiero, Law Director Timothy Dobeck, Auditor Dennis Kish, Treasurer Anthony Zielinski, Public Works Coordinator Jack Sparks, Assistant Building Commissioner Don Graves, Communications and Community Relations Director Powell Caesar, Recreation Commissioner Mickey Vittardi, Director of Human Resources, Elayne Siegfried, Senior Citizens Director Jo Ann Mason, Community Development Director Erik Tollerup, Mayor's Administrative Assistant Meghann McCall, Economic Development Officer/Grant Writer Shelley Cullins, Director of Public Housing Lev Kulchytsky and Clerk of Council Tom Mastroianni.

INVOCATION

The Invocation was given by Reverend Todd Bierman of Calvary Lutheran Church.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

VOICE VOTE:

	RESOLUTION NO. 8-07	2/20/07	L-8-07
BY:	K. A. RAMSER, S. P. BRENNAN, N. J. CELEBREZZE, B. DAY, M. GALINAS, R. J. JECH, L. NAPOLI, T. REGAS, S. M. TUMA		

A RESOLUTION CONGRATULATING THE PARMA CITY SCHOOL
DISTRICT ON HAVING BEEN AWARDED AN EXEMPLARY RATING
FOR THE PARMA ADULT BASIC AND LITERACY EDUCATION
(ABLE) PROGRAM

Motion made by Councilman Brennan seconded by Councilman Day to adopt Resolution No. 8-07. Motion carried.

Councilman Ramser presented the Resolution along with a certificate from Treasurer Zielinski to Susan Sheehan.

Ms. Sheehan – Thanked Council for the Resolution.

Mayor DePiero – Recognized the Blue Ribbon Commission and presented them with Proclamations and keys to the City.

LEGISLATIVE COMMENT

Martin Drabik, 7696 Cecilia Drive – Commented on the language in the Police Levy. Further commented on Parma's Safest City rankings and the number of Police Officers throughout the years.

COMMUNICATIONS, PETITIONS AND CLAIMS

Annual Report received from the Senior Citizens Center. It is on file in the Council Office.

Request for Legal Representation received from the Law Department regarding Grgat Family Partnership, dba Tri City Management, et. al. Cuyahoga County Common Pleas Case for Dean DePiero and Paul Deichmann.

Motion made by Councilman Brennan seconded by Councilman Day to grant legal representation. Motion carried.

Mr. Dobeck – Explained that this is a Mandamus Action by the owners of Tri City Plaza at Sprague and Broadview. The essence of the Lawsuit is asking the City to file citations against another property owner in that same region for reported violations of the Building Code.

Notice received from the Ohio Division of Liquor Control a Transfer of a D5, D6 from JDW Inc., dba Lincoln Inn, 5409 State Road, Parma, Ohio 44134. To PJ Rose Enterprises, Inc., 5409 State Road, Parma, Ohio 44134.

Mr. Germana – Said Liquor Permit will be referred to the Safety Director and Ward Council.

FIRST READING:

ORDINANCE NO. 11-07 2/20/08 L-11-07
BY: K. RAMSER

AN ORDINANCE TO ADD TO CHAPTER 331 ENTITLED "OPERATION GENERALLY" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, OHIO, BY ENACTING NEW SECTION 331.425 "DEFINITION AND REGULATION OF THE USE OF MOBILE TELEPHONES WHILE OPERATING A MOTOR VEHICLE"

Mr. Germana – Said Ordinance will be referred to the Public Safety Committee.

SECOND READING:

ORDINANCE NO. 9-07 2/12/07 L-9-07
BY: M. GALINAS, L. NAPOLI, T. REGAS, S. TUMA (Special Meeting)
S. BRENNAN, N. CELEBREZZE, B. DAY, R. J. JECH

AN ORDINANCE ADDING CHAPTER 313 ENTITLED "TRAFFIC CONTROL DEVICES" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, OHIO, BY ENACTING NEW SECTION 313.035 "USE OF AUTOMATED CAMERAS TO IMPOSE CIVIL PENALTIES UPON SPEEDING VIOLATORS IN ANY SCHOOL ZONE," AND DECLARING AN EMERGENCY

Motion made by Councilwoman Galinas seconded by Councilman Day to refer Ordinance No. 9-07 back to the Public Safety Committee. Motion carried.

ORDINANCE NO. 24-07 2/5/07 L-24-07
BY: S. M. TUMA
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A THREE (3) YEAR CONTRACT WITH THE LOWEST AND BEST BIDDER FOR UNIFORM SERVICE, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to refer Ordinance No. 24-07 back to the Finance Committee. Motion carried.

SECOND READING SUSPENSION:

Mr. Germana – Shall the statutory provision and Rule 47 requiring the full and distinct reading of Ordinance No. 43-07 and Ordinance No. 44-07 on three different days be dispensed with?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser Regas.

No: None; motion carried.

ORDINANCE NO. 43-07 2/5/07 L-42-07
BY: S. TUMA
(By Request – Law Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH HCC INSURANCE COMPANY AND MT. VERNON INSURANCE COMPANY, THROUGH JACKSON, DIEKEN AND ASSOCIATES FOR MUNICIPAL EXCESS LIABILITY INSURANCE FOR THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to amend Ordinance No. 43-07 as follows: In Section 1, line 5, insert \$163,023.00. Motion carried.

Motion made by Councilman Brennan seconded by Councilman Day to adopt Ordinance No. 43-07 as amended.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance No. 43-07 is adopted as amended.

ORDINANCE NO. 44-07 2/5/07 L-43-07

BY: S. TUMA
(By Request – Law Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE
TO ENTER INTO A CONTRACT WITH HCC INSURANCE COMPANY AND
THE CHUBB, THROUGH JACKSON, DIEKEN AND ASSOCIATES
INSURANCE FOR SPECIAL MULTI-PERIL INSURANCE INCLUDING
CONTENTS AND BOILERS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to amend Ordinance No. 44-07 as follows: In Section 1, line 5, insert \$82,131.00. Motion carried.

Motion made by Councilman Brennan seconded by Councilman Day to adopt Ordinance No. 44-07 as amended.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance No. 43-07 is adopted as amended.

THIRD READING:

ORDINANCE NO. 241-06 7/5/06 L-241-06

BY: S. M. TUMA
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE
TO ENTER INTO A FIVE (5) YEAR LEASE/PURCHASE AGREEMENT WITH
THE LOWEST AND BEST BIDDER FOR THE LEASE/PURCHASE OF A 2007
EXTENDED FRONT WHEEL DRIVE PASSENGER/CARGO VAN FOR THE
PARMA SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to amend Ordinance No. 241-06 as follows: In Section 1, line 3, insert Bob McDorman Chevrolet Fleet & Truck Sales, and on line 5, insert \$17,857.19. Further moved to waive Rule 51 and place Ordinance No. 241-06 on Third Reading for final passage as amended. Motion carried.

Motion made by Councilman Brennan seconded by Councilman Day to adopt Ordinance No. 241-06 as amended.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance No. 241-06 is adopted as amended.

ORDINANCE NO. 316-06 9/16/06 L-320-06
BY: L. NAPOLI (AS AMENDED)
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR SANITARY SEWER IMPROVEMENTS FOR THE GREEN VALLEY ROAD, DAVID AVENUE, ORCHARDVIEW DRIVE, HOWARD STREET AND ROBERT DRIVE SANITARY SEWER PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to hold Ordinance No. 316-06 on Third Reading. Motion carried.

ORDINANCE NO. 10-07 1/16/07 L-10-07
BY: S. TUMA
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE LEASE/RENTAL OF EIGHTY (80) GASOLINE POWERED GOLF CARTS FOR THE RIDGEWOOD GOLF COURSE, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to amend Ordinance No. 10-07 as follows: In Section 1, line 3, insert Lake Erie Golf Cars, LLC, and on line 5, insert 68% to the City and 32% to Lake Erie Golf Cars, LLC. Further moved to waive Rule 51 and place Ordinance No. 10-07 on Third Reading for final passage as amended.

Motion made by Councilman Brennan seconded by Councilman Day to adopt Ordinance No. 10-07 as amended.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance No. 10-07 is adopted as amended

ORDINANCE NO. 18-07 1/16/07 L-19-07
BY: S. P. BRENNAN, N. CELEBREZZE

AN ORDINANCE TO AMEND SUBSECTION (a) OF SECTION 351.18 "OVERNIGHT PARKING DURING WINTER MONTHS" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA

Motion made by Councilwoman Galinas seconded by Councilman Day to hold Ordinance No. 18-07 on Third Reading. Motion carried.

BY: S. BRENNAN, N. CELEBREZZE, B. DAY, M. GALINAS, R. J. JECH,
L. NAPOLI, K. A. RAMSER, T. REGAS, S. M. TUMA
(By Request – Mayor)

A RESOLUTION SUBMITTING THE QUESTION OF AN ADDITIONAL TAX LEVY FOR THE PURCHASE OF PROVIDING AND MAINTAINING MOTOR VEHICLES, COMMUNICATIONS, AND OTHER EQUIPMENT USED DIRECTLY IN THE OPERATION OF THE POLICE DEPARTMENT, AND THE PAYMENT OF SALARIES OF PERMANENT POLICE PERSONNEL, INCLUDING THE PAYMENT OF THE POLICE OFFICER EMPLOYERS' CONTRIBUTION REQUIRED UNDER SECTION 742.33 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to accept Substitute Resolution No. 36-07 which amends the language on the previous Resolution No. 36-07 as stated in the substitute legislation. Further moved to waive Rule 51, have a Roll Call Vote on Rule 44 and place Substitute Resolution No. 36-07 on Third Reading for final passage as amended. Motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Substitute Resolution No. 36-07 be placed on final passage.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; motion carried.

Councilman Brennan – Stated that he has noticed over the last several years that Parma has dropped in the rankings regarding the safest City in the Country. Stated he researched around the time that the City was ranked 32nd and he found that the company that does it has changed the formula that they use to rank Cities. So, someone who doesn't realize, it may look like there is not a correlation between the number of police and the ranking of the City, but that is a false conclusion because they have changed the way they do the rankings.

Mayor DePiero - Stated that the Council has kept their word to the residents of Parma. They have given the residents the right to vote on tax increases. Stated that they have lost the money for three years, they have seen job losses to their largest employer and others. Our City will be safer if the issue passes, but they will give the voters the right to decide what type of city and how safe they want to be. Wanted to thank Council for giving the residents the right to make that decision on their own.

Councilman Jech – Asked if they could hear from the Safety Director prior to their vote.

Mr. Baeppler – As Councilman Brennan stated, they changed the criteria in the rankings from last year to this year. So, making the correlation from 17 or 14 to 32 is not a true indication. Further added that the same company that made this rating wasn't even in existence when they were talking about 25 years when we were the safety city in the Country. If anyone thinks there is a correlation where the general population and the entire region is from now to 1980, everyone knows it has changed. Our ratio of officers to citizens is absolutely the lowest of any surrounding City of comparable size. In some cases, 2 ½ times what we have is their manning per thousand. I take great exception to the fact that we gave away raises. We negotiated

hard and the mediator gave them 3% and that was the pattern and we all know what that was. I take pride in the fact that we did get health care into line and I think we have accomplished that in a fair and equitable way. To look back 25 years, we were not living next to the most dangerous City in the United States. Does anybody think they are all stopping at Brookpark? Parma, in effect, is just one large neighborhood. I have seen neighborhoods of 80,000 go south when they didn't have the protection. You can not put the Jeanie back in the bottle. When you lose it, you don't take it back by adding a few police officers. It takes great effort. Not that it can't be done, but it takes a major influx of manpower. It took as many officers as we have on the entire Parma Police Department, it took that many officers for me to get Bridge Avenue cleaned up and it took 2 ½ years. I had the luxury of having 250 officers, and I had over 100 of them assigned to that task. That was Bridge Avenue, a 30 to 40 block area. Once you lose it, it doesn't come back over night because you have 6 police officers in the academy or 20 police officers. You have to fight for every square inch. In the meantime, you are losing good tax paying residents because they don't want to be here during the transition.

Mr. Germana – Stated that we have had a lot of people move out of the City and single family homes have now become rentals. Stated he urges a positive vote.

Motion made by Councilman Brennan seconded by Councilman Day to adopt Substitute Resolution No. 36-07.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Substitute Resolution No. 36-07 is adopted.

SUSPENSION OF THE RULES:

Mr. Germana – Shall the Statutory provision and Rule 47 requiring the full and distinct reading of Resolution No. 46-07, Resolution No. 47-07, Ordinance No. 51-07, Ordinance No. 52-07, Resolution No. 53-07, Ordinance No. 54-07 and Ordinance No. 55-07 on three different days be dispensed with?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; motion carried.

Mr. Germana – Shall Rule 44 requiring reference to committee be dispensed with and Resolution No. 46-07, Resolution No. 47-07, Ordinance No. 51-07, Ordinance No. 52-07, Resolution No. 53-07, Ordinance No. 54-07 and Ordinance No. 55-07 be placed on final passage?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; motion carried.

RESOLUTION NO. 46-07 2/20/07 L-45-07
BY: T. REGAS, L. NAPOLI, M. GALINAS, B. DAY
(By Request – City Engineer)

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT APPLICATION
WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR GRANT
FUNDING FOR REHABILITATION OR REPLACEMENT OF THE ROYALVIEW
BRIDGE, AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan seconded by Councilman Day to adopt Ordinance No. 46-07.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance No. 46-07 is adopted.

RESOLUTION NO. 47-07 2/20/07 L-46-07

BY: L. NAPOLI, S. M. TUMA, S. P. BRENNAN, N. J. CELEBREZZE, B. DAY,
M. GALINAS, R. J. JECH
(By Request – City Engineer)

A RESOLUTION TO APPROVE THE "CUYAHOGA COUNTY ALL NATURAL
HAZARDS MITIGATION PLAN" TO ALLOW THE CITY OF PARMA TO
BE ELIGIBLE FOR ANY FUTURE FEDERAL MITIGATION FUNDING, AND
DECLARING AN EMERGENCY

Mrs. Cullins (Economic Development Director) – The Federal Grants are now requiring that the localities applying for money through homeland security or FEMA, which this is going to roll up through from the Ohio Emergency Management, have all adopted Emergency Management plans. The City has adopted an Emergency Management Plan which would be a crises type of emergency. This would be a natural hazard emergency. The plan must be adopted in order to apply for the funds.

Motion made by Councilman Brennan seconded by Councilman Day to adopt Resolution No. 47-07.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Resolution No. 47-07 is adopted.

ORDINANCE NO. 51-07 2/20/07 L-50-07

BY: S. TUMA
(By Request – Law Director)

AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO RETAIN THE
SERVICES OF THE LAW FIRM OF LITTLER, MENDELSON, P.C. FOR THE
LEGAL SERVICES FOR THE PRESENT CLAIM KNOWN AS SCHEUTZOW,
ET AL. VS. CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Dobeck – Stated that during the negotiations with the Police, there was an issue that came up regarding retiree health benefits. There was a cap during the course of negotiations that was put on retiree health benefits at \$500 per month. This represents about 20 Police retirees that are presently receiving the retiree reimbursement benefit as capped and want it restored to what it was when they retired.

Motion made by Councilman Brennan seconded by Councilman Day to adopt Ordinance No. 51-07.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance No. 51-07 is adopted.

ORDINANCE NO. 52-07 2/20/07 L-51-07

BY: S. TUMA
(By Request – Law Director)

AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO RETAIN THE SERVICES OF THE LAW FIRM OF HAHN, LOESER & PARKS FOR LEGAL SERVICES FOR THE PRESENT CLAIM KNOWN AS NICHOLAS KASHI VS. CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Dobeck – This is with our current firefighters and some retired firefighters. There was a dispute going on for several years that Ted Prasse has been mediating between the Fire Department and the City with respect to how we paid overtime.

Motion made by Councilman Brennan seconded by Councilman Day to adopt Ordinance No. 52-07.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance No. 52-07 is adopted.

RESOLUTION NO. 53-07 2/20/07 L-52-07

BY: S. M. TUMA
(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S POST CERTIFICATION OF REQUISITIONS AS DETAILED IN EXHIBIT "A" AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan seconded by Councilman Day to adopt Resolution No. 53-07.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Resolution No. 53-07 is adopted.

ORDINANCE NO. 54-07 2/20/07 L-53-07

BY: S. M. TUMA, M. GALINAS, S. P. BRENNAN
(By Request – Service Director)

AN ORDINANCE TO AMEND A PORTION OF SECTION 1 OF ORDINANCE NO. 201-03 RELATIVE TO THE AMOUNT FOR A CONTRACT FOR THE PREPARATION OF ASSESSMENTS AND BID SPECIFICATIONS FOR THE SEWER AND STREET AND CURB RECONSTRUCTION FOR MANHATTAN AVENUE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan seconded by Councilman Day to adopt Ordinance No. 54-07.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Resolution No. 53-07 is adopted.

BY: S. M. TUMA
(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2007 TEMPORARY APPROPRIATIONS
OF THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Brennan seconded by Councilman Day to adopt
Ordinance No. 55-07.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Ordinance 55-07 is adopted.

LEGISLATION TO BE TABLED:

Motion made by Councilman Brennan seconded by Councilman Day to Table the
Legislation listed below; motion carried.

Motion made by Councilman Day seconded by Councilman Brennan to
Reconsider the Legislation listed below; motion failed. Legislation is Tabled.

ORDINANCE NO. 161-98 – AMEND SECTION 1125.02 (TOWERS)
ORDINANCE NO. 82-99 – INSTALLATION OF SIDEWALKS ON PARCELS
ORDINANCE NO. 375-99 – REZONE PARCELS-RIDGEWOOD & BROADVIEW
ORDINANCE NO. 64-00 – AMEND 1512 – CONCRETE
**ORDINANCE NO. 106-00 – RETAIN SERVICES OF A REGULATORY ATTORNEY
TO ADDRESS AIRPORT NOISE**
**ORDINANCE NO. 202-00 – CONSULTANT FOR REDEFINING OF CULVERTS ON
ORCHARD PARK**
ORDINANCE NO. 224-00 – CONTRACT FOR CATCH BASINS ON BRUENING
**ORDINANCE NO. 225-00 – CONTRACT FOR CONSTRUCTION OF ROADWAY
ON KENILWORTH**
**ORDINANCE NO. 226-00 – CONTRACT FOR REPAIR OF PIPE AT W. 24TH &
FORTUNE**
**ORDINANCE NO. 250-00 – CONTRACT FOR CORRECTIVE SEWER WORK AT
W. 24TH & FORTUNE**
ORDINANCE NO. 253-00 – VACATE KLIPPLE AVENUE
**RESOLUTION NO. 268-00 – STREET LIGHTING ASSESSMENT (WOODBURY
HILLS)**
ORDINANCE NO. 6-01 – AMEND 1707.28 EXTERIOR PROPERTY AREAS
ORDINANCE NO. 25-01 – CONTRACT FOR REPAIR/REPLACEMENT OF CURBS
ORDINANCE NO. 78-01 – CONTRACT FOR STREET SWEEPING EQUIPMENT
ORDINANCE NO. 99-01 – CLEANING AND TELEVISIONING TRUNK LINES
RESOLUTION NO. 168-01 – ACCEPTING DONATION BY WEST CREEK
**ORDINANCE NO. 271-01 – RETAIN LEGAL SERVICES FOR PARMA LAND
COMPANY'S REGULATORY PERMIT PROCESSES**
ORDINANCE NO. 54-02 – REPEAL CHAPTER 1519 – SIGNS

LEGISLATION TO BE TABLED CONTINUED:

ORDINANCE NO. 125-02 – ADDITIONAL EMPLOYMENT BENEFITS – POLICE AND FIRE
ORDINANCE NO. 133-02 – TRANSFER FUNDS FROM CAPITAL IMPROVEMENT FUND
ORDINANCE NO. 182-02 – AMEND CHAPTER 1126 – CONDITIONAL USE PERMITS
ORDINANCE NO. 189-02 – AMEND 1153.03 – GARAGES
ORDINANCE NO. 202-02 – DELETE SECTION 185.01 – GENERAL PROVISIONS
ORDINANCE NO. 229-02 – PURCHASE OF ONE TON CREW CAB PICK UP
ORDINANCE NO. 230-02 – PURCHASE OF NINE PICK UP TRUCKS
ORDINANCE NO. 235-02 – PURCHASE OF FIVE SNOW PLOWS
ORDINANCE NO. 268-02 – GRAVEL TRAIL PAVEMENT AT STEARNS
ORDINANCE NO. 302-02 – ENACT CITY BEAUTIFICATION FUND
ORDINANCE NO. 315-02 – CONTRACT FOR COMMUNICATION MANAGEMENT COMPANY
ORDINANCE NO. 366-02 – LEASE OF PROPERTY ADJACENT TO CITY HALL
ORDINANCE NO. 421-02 – RETAIN CONSULTANT TO MEASURE AIRPORT NOISE
ORDINANCE NO. 449-02 – REPLACEMENT OF DOORS AT SCHAAF
ORDINANCE NO. 463-02 – PROCEDURES FOR REVIEWING CONDITIONAL USE
ORDINANCE NO. 60-03 – SENIORS AND LAW ENFORCEMENT TOGETHER COUNCIL (S.A.L.T.)
ORDINANCE NO. 62-03 – PURCHASE OF VEHICLE AND EQUIPMENT CAR FUELING SYSTEM
ORDINANCE NO. 68-03 – AMEND 1153.04 “NURSING HOMES”
ORDINANCE NO. 149-03 – CREATE DEVELOPMENT STRATEGIES
ORDINANCE NO. 196-03 – PURCHASE OF CITYWIDE TORNADO SIRENS
ORDINANCE NO. 253-03 – COMPREHENSIVE PARKS AND RECREATION MASTER PLAN
ORDINANCE NO. 278-03 – AMEND 1705.13 – CERTIFICATE OF HOUSING INSPECTION
ORDINANCE NO. 279-03 – EXPENDITURES FOR MATCHING GRANTS
ORDINANCE NO. 280-03 – PARK OPERATING POLICY GENERALLY
ORDINANCE NO. 321-03 – PURCHASE OF AUTOMATED TIMEKEEPER SYSTEM
RESOLUTION NO. 340-03 – OPPOSING FREE TRADES AREA OF AMERICAS
ORDINANCE NO. 373-03 – RETAIN SERVICES FOR COMPREHENSIVE REVIEW OF CITY’S OPERATION AND MANAGEMENT
ORDINANCE NO. 377-03 – REZONE NORTHEAST CORNER OF STATE AND WALES
ORDINANCE NO. 399-03 – CONDUCT SPECIAL AUDIT OF TRUNKED RADIO SYSTEM
ORDINANCE NO. 416-03 – AMEND 173.01 – BONDS
ORDINANCE NO. 103-04 – AMEND 1103.11 MANDATORY DEDICATION OF AREA FOR PARK AND RECREATION USES
RESOLUTION NO. 106-04 – CREATE CITIZEN/CITY EMPLOYEE SUGGESTION PROGRAM

**ORDINANCE NO. 223-04 – AGREEMENT FOR SALE OF UNUSABLE LAND
ON ROUSSEAU**
**ORDINANCE NO. 229-04 – SPECIAL REVENUE FUND COLLECTED FROM
HANDICAPPED PARKING VIOLATIONS**
**ORDINANCE NO. 288-04 – PRIOR PLANNING COMMISSION APPROVAL
REQUIRED**
RESOLUTION NO. 298-04 – MORAL CLAIM TO STEPHEN PELECH
**ORDINANCE NO. 308-04- RETAIN SERVICES FOR LABOR MATTERS
RELATED TO SAFETY FORCES**
**ORDINANCE NO. 309-04 – RETAIN SERVICES FOR LABOR MATTERS RELATED
TO SAFETY FORCES**
ORDINANCE NO. 368-04 – ANIMAL TRAPPING
**ORDINANCE NO. 413-04 – CONTRACT FOR COMPREHENSIVE REVIEW OF
CITY OPERATIONS AND MANAGEMENT**
LEGISLATION TO BE TABLED CONTINUED:

**ORDINANCE NO. 414-04 – ENACT CHAPTER – INDEPENDENT PERFORMANCE
AUDIT DEPARTMENT**

RECONSIDERATION OF LEGISLATION:

BY: S. TUMA, T. REGAS
 (By Request – Recreation Director)

ORDINANCE NO. 37-07 2/5/07 L-36-07

AN ORDINANCE TO AMEND SECTION 185.05 (b) "FEES OF THE
 DIRECTOR OF PUBLIC SERVICE" OF THE CODIFIED ORDINANCES
 OF THE CITY OF PARMA, RELATIVE TO FEES FOR RIDGEWOOD
 MUNICIPAL GOLF COURSE, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to Reconsider Ordinance No. 37-07. Motion carried. Motion made by Councilman Tuma seconded by Councilman Day to accept Substitute Ordinance No. 37-07 which amends the language on the previous Ordinance No. 37-07 as stated in the substitute legislation. Further moved to have a Roll Call Vote on Rule 44 and place Substitute Ordinance No. 37-07 on final passage. Motion carried.

Mr. Germana – Shall Rule 44 requiring reference to Committee be dispensed with and Substitute Ordinance No. 37-07 be placed on final passage?

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; motion carried.

Motion made by Councilman Brennan seconded by Councilman Day to adopt Substitute Ordinance No. 37-07.

Yes: Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser, Regas.

No: None; Substitute Ordinance No. 37-07 is adopted.

APPOINTMENTS AND CONFIRMATIONS

Councilman Ramser – Stated that the Appointment Scanning Committee met to discuss the following appointments to the Design Review Board: Dean DePiero (a member of the Planning Commission is required to sit on the Board. He will be taking on that role.) Term to expire January 15, 2009 and Curtis Smock – Term to expire on January 15, 2009.

Motion made by Councilman Ramser seconded by Councilman Day to confirm the appointments as recommended by the Appointment Scanning Committee of Council. Motion carried.

PUBLIC SESSION

Mike Carver, 5907 Belmere – Stated that 30 tons of snow was plowed into driveway. Would appreciate some assistance in the future.

Mr. Germana – Stated that Council received a written explanation from Councilman Brennan.

Richard Higgins, 11825 W. Pleasant Valley Road – Thought the City did a good job with snow removal. Stated that he saw people trying to run the snow plows off the street.

Commented on cameras in school zones.

MISCELLANEOUS BUSINESS

Mayor DePiero – Commended the Service Department for a good job with snow removal. Stated he was impressed with the Service Crews, Police Officers, Firefighters, Ambulances during the snow storm.

Stated that they are interested in pursuing the school zone camera legislation, but there are issues that need to be worked out. The cameras would be about safety, not revenue.

Invited everyone to the State of the City Address on February 21st at 10:30 at Parmatown Mall. The grand opening of the Recreation Office will also take place.

All are invited to the Ministerial Breakfast on February 28th at 7:30 A.M. at the Senior Center.

There will be a Planning Commission Meeting on February 28th at 6:30 P.M.

Thanked Council for tabling the legislation.

Commended the CERT Team. Over the weekend, the Safety Director authorized a reverse 9-1-1 to advise residents to remove snow from around their fire hydrant in case of an emergency. The CERT Team also indicated that they would assist anyone. Seventy plus fire hydrants were cleared out over the weekend by the CERT Team. They also assisted a distressed pedestrian. Had they not found this person, who knows what could have happened. Stated our Auxiliary and CERT Team are probably the best volunteer forces we have in the area.

Wanted to inform everyone that Former President of Local 1005 UAW Ron Janella passed away.

Safety Director Baeppler – Commended the CERT Team. Stated that the gentleman could possibly not be here if the team was not out in the area.

Treasurer Zielinski – No comment.

Law Director Dobeck – Stated that the camera legislation was requested some time last year by Council, but there was a statute that was introduced by the legislature that was vetoed at the end of the year that would have outlawed or restricted red light cameras and speed cameras. It was the Law Department's advice not to introduce the legislation until those issues were resolved. They appear to be resolved now.

Auditor Kish – No comment.

Councilman Tuma – Commended the Administration for their work in laying out the case for a levy. Also commended the Safety Director for being straight forward with discussions as to why we need the Police Levy. It is up to the elected officials to make the case to the residents, and the residents do have the final say.

He understands the service department did the best job they could with snow removal under the circumstances, but some of the residents in Ward 8 did have some difficulty with being blocked in by the snow plows.

Commented on businesses not clearing their sidewalks. Requested that the Building Department issue warnings.

Commented on the Leadership for Tomorrow Program giving live civic lessons to 5th Grade students. The students will be visiting the Council Chambers having mock council meetings. Commended Treasurer Zielinski, State Representative DeGeeter and Clerk of Council Tom Mastroianni for the program.

Councilman Brennan – Stated that he road along with a snow plow driver during the heavy snow storm. Stated it gives him a new perspective on what the drivers have to deal with and what a difficult job they have. Commented on the sidewalks in front of businesses. Pedestrians had to walk in the street to get to the bus stops.

Commended the Administration for the personal document shredding over the weekend. Hopes we can bring it back.

Stated that he has been calling different Council's regarding the Special Olympics Resolution and is encouraging them to mirror it. The more Councils that pass the legislation, the better chance northeast Ohio has to host the 2011 Special Olympics Games.

Councilman Celebrezze – Commended both the Service and Safety Departments on their great job with snow removal. Looks forward to campaigning with other members of Council on the Police Levy.

Councilman Day – Commended Brian Higgins and the Service Department for the snow removal. Also has issues with businesses not clearing their sidewalks.

Councilwoman Galinas – Commended the Service Department on the snow removal. Stated that the City of Parma, compared to other large cities, has much less equipment and we still rise to the occasion and do a nice job.

Commented on the Police Levy. Stated that the City does not have the manpower to patrol the streets for speeders. Regarding the cameras, stated that Mr.

Higgins has offered a lot of good suggestions, as have many others who are involved in the community. This will not pass tomorrow, but it is something that we can look at and it will hopefully help keep the neighborhoods safer for the kids.

Stated she was at the City Club to hear Mayor Jackson speak a couple of weeks ago. He talked about Cities struggling to make ends meet and to do what you have to do to. Stated that we don't want to be a City that has to take ourselves out of the trenches and reinvent ourselves. We are at a good status right now, and we want to be better. Feels that is why we are all here, because they believe that and are going to fight for the levy.

Councilman Jech – Appreciates what the Service Department did with respect to snow removal. All calls were returned. Stated that there were businesses adjacent to the schools who did not remove the snow. Stated our Safety Department handled the situation.

Asked Council to keep the Janello family in their prayers.

Councilman Napoli – Commended the Service Department on the snow removal. Stated that the Police Levy was the easiest piece of legislation he put is name to. Has no problem fighting for that. Commended Mr. Baeppler on his response. Stated that the levy will be his number one priority for the year.

Councilman Ramser – Thanked Councilman Celebrezze for chairing the Appointment Scanning Committee in his absence.

Commended the Service Department on the snow removal issues.

Stated that he is in support on the cameras in school zones.

Stated that it was great the way Mr. Baeppler described the time frame with the City of Cleveland. Stated that he has always said that we need a Police Levy. Stated you never want to compromise the safety of this City. His fear is that they will be drawing in more crime when people find out what our numbers are. Stated once you lose something, it is very hard getting it back. Stated he does not want to compromise the safety of this City. Thanked his colleagues for supporting the issue. It is the most important thing they are going to do.

Councilman Regas – No comment.

Mr. Germana – Commended the Service Department on the snow removal.

Stated that one thing he and former Mayor Boldt never agreed on was he never wanted to spend the money on Police payrolls because if they ever lost the levy he would not be able to support them. He is against it. He feels we should be paying for payrolls with the Police Levy so when people vote they know they will be getting more police, and it will not be going to the General Fund.

Stated that there will be Budget Reviews, special Public Housing, Public Hearing and special Council Meeting beginning at 6 P.M. next Monday.

REPORT ON ABSENT OFFICIALS

Motion made by Councilman Brennan seconded by Councilman Day to excuse Service Director Brian Higgins. Motion carried.

ADJOURNMENT

Motion made by Councilman Brennan seconded by Councilman Day to adjourn the Regular Council Meeting at 8:30 P.M.

C E R T I F I C A T I O N

I, Thomas Mastroianni, Clerk of Council for the City of Parma, Ohio, do hereby certify this to be a true and correct copy of the Minutes from the Regular Council Meeting held on Tuesday, February 20, 2007.

THOMAS MASTROIANNI
CLERK OF COUNCIL

CHARLES M. GERMANA
PRESIDENT OF COUNCIL

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(Minutes completed on February 27 2007)